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CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:

Date: November 29, 2005 Name: Carolyn Beason-Wright Signature: Carolyn Beason-Wright

**BRINKS
HOFFER
GILSON
& LIONE**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Darin G. Schaeffer, et al.

Appln. No.: 10/769,962

Filed: February 2, 2004

For: TRACHEOSTOMY TUBE AND LOADING
DILATOR

Attorney Docket No: 10703/042 (PA-5375-US)

Examiner: Ali, Shumaya B.

Art Unit: 3743

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

Sir:

Attached is/are:

- ☒ RESPONSE TO RESTRICTION REQUIREMENT AND ELECTION OF SPECIES REQUIREMENT
☒ Return Receipt Postcard

Fee calculation:

- ☒ No additional fee is required.
☐ Small Entity.
☐ An extension fee in an amount of \$_____ for a _____-month extension of time under 37 C.F.R. § 1.136(a).
☐ A petition or surcharge in an amount of \$_____ under 37 C.F.R. § 1.16(e).
☐ An additional filing fee has been calculated as shown below:

					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	or	Rate	Add'l Fee
Total		Minus			x \$25=			x \$50=	
Indep.		Minus			x 100=			x \$200=	
First Presentation of Multiple Dep. Claim					+\$180=			+\$360=	
					Total	\$		Total	\$

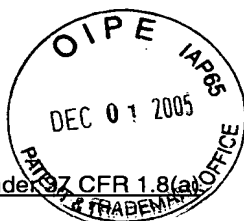
Fee payment:

- ☐ A check in the amount of \$_____ to cover the above-identified fee(s) is enclosed.
☐ Please charge Deposit Account No. 23-1925 in the amount of \$_____. A copy of this Transmittal is enclosed for this purpose.
☐ Payment by credit card in the amount of \$_____ (Form PTO-2038 is attached).
☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

Nov. 29, 2005
Date

Lawrence A. Steward
Lawrence A. Steward (Reg. No. 32,309)



Certificate Under 37 CFR 1.8(a)

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Carolyn Beason-Wright
Carolyn Beason-Wright

Our Case No.: 10703/042

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Group Art Unit No.: 3743

**RESPONSE TO RESTRICTION REQUIREMENT AND
ELECTION OF SPECIES REQUIREMENT**

MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Responsive to the Office Action mailed October 31, 2005, please amend the above-identified application as follows:

Amendments to the claims begin on page 2 of this paper.

Remarks/Arguments begin on page 6 of this paper.